

PATENT

Docket No.: 176/60807 (6-11406-955)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Thomas J. Guttuso, Jr.

Serial No. : 10/609,176

Cnfrm. No. : 7781

Filed : June 27, 2003

For : METHOD OF TREATING SYMPTOMS OF  
HORMONAL VARIATION, INCLUDING HOT  
FLASHES, USING TACHYKININ RECEPTOR  
ANTAGONIST

Examiner:  
S.A. Jiang

Art Unit:  
1617

INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §§ 1.97-1.98

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR §§ 1.97-1.98, applicant hereby brings to the attention of the United States Patent and Trademark Office, the references listed on the attached PTO-1449 form.

Pursuant to 37 CFR § 1.98(d), the references identified on the attached PTO-1449 form are not provided, because these references either were previously cited by or submitted to the PTO in parent U.S. Patent Application Serial No. 09/879,390, filed June 12, 2001, of which this application is a continuation.

Pursuant to 37 CFR § 1.97(b)(3), no fee is required. Should it be determined that a fee is required, the Commissioner is authorized to charge any additional fee to Deposit Account No. 14-1138.

Respectfully submitted,

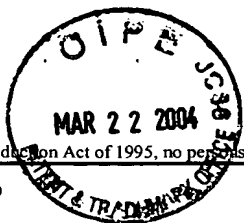
Date: March 18, 2004

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450, on the date below.	
Date <u>3/18/04</u>	<u>Wendy L. Barry</u> Wendy L. Barry



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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

1

of

4

**Complete if Known**

Application Number	10/609,176
Filing Date	June 27, 2003
First Named Inventor	Thomas J. Guttuso, Jr.
Art Unit	1617
Examiner Name	S.A. Jiang
Attorney Docket Number	176/60807 (6-11406-955)

**U.S. PATENT DOCUMENTS**

Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	U.S. Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
	1	US-5,344,830	09-06-1994	Mills et al.	
	2	US-5,554,627	09-10-1996	Lewis et al.	
	3	US-5,554,641	09-10-1996	Horwell et al.	
	4	US-5,563,161	10-08-1996	Huscroft et al.	
	5	US-5,594,022	01-14-1997	Horwell et al.	
	6	US-5,607,936	03-04-1997	Chiang et al.	
	7	US-5,610,145	03-11-1997	Horwell et al.	
	8	US-5,610,165	03-11-1997	MacCoss et al.	
	9	US-5,612,336	03-18-1997	Lewis et al.	
	10	US-5,624,947	04-29-1997	Keown et al.	
	11	US-5,627,211	05-06-1997	Teall et al.	
	12	US-5,633,266	05-27-1997	Baker et al.	
	13	US-5,635,509	06-03-1997	Jacobs et al.	
	14	US-5,633,281	05-27-1997	Teall et al.	
	15	US-5,654,316	08-05-1997	Carruthers et al.	
	16	US-5,663,352	09-02-1997	MacLeod et al.	
	17	US-5,665,883	09-09-1997	Baker et al.	
	18	US-5,688,960	11-18-1997	Shankar	
	19	US-5,969,123	12-09-1997	Dollinger et al.	
	20	US-5,696,267	12-09-1997	Reichard et al.	
	21	US-5,698,710	12-16-1997	Sisto et al.	
	22	US-5,708,006	01-13-1998	Dollinger et al.	
	23	US-5,719,156	02-17-1998	Shue et al.	
	24	US-5,731,309	03-24-1998	Bernstein et al.	
	25	US-5,760,018	06-02-1998	Baker et al.	
	26	US-5,760,248	06-02-1998	Sisto et al.	
	27	US-5,846,965	12-08-1998	MacKenzie et al.	
	28	US-5,849,795	12-15-1998	Sisto et al.	
	29	US-5,892,039	04-06-1999	Shue et al.	
	30	US-5,919,803	07-06-1999	Giblin et al.	
	31	US-5,922,744	07-13-1999	Harrison et al.	
	32	US-5,935,972	08-10-1999	Naylor et al.	
	33	US-5,945,428	08-31-1999	Shih et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials <sup>*</sup>	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at 222.uspto.gov or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>				<i>Complete if Known</i>	
				Application Number	10/609,176
				Filing Date	June 27, 2003
				First Named Inventor	Thomas J. Guttuso, Jr.
				Art Unit	1617
				Examiner Name	S.A. Jiang
Sheet	2	of	4	Attorney Docket Number	176/60807 (6-11406-955)

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		Country Code <sup>3</sup> Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	49	WO 00/67742		11/16/2000	Magistro		

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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [222.uspto.gov](http://222.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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				Application Number	10/609,176
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				First Named Inventor	Thomas J. Guttuso, Jr.
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				Examiner Name	S.A. Jiang
Sheet	3	of	4	Attorney Docket Number	176/60807 (6-11406-955)

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	50	Wallace et al., <u>Org. Lett.</u> 3(5):671-674 (2001)	
	51	Reichard et al., <u>Bioorg. Med. Chem. Lett.</u> 10(20):2329-2332 (2000)	
	52	Liu et al., <u>J. Med. Chem.</u> 43(21):3827-3831 (2000)	
	53	Nishi et al., <u>Bioorg. Med. Chem. Lett.</u> 10(15):1665-668 (2000)	
	54	Rosen et al., <u>Bioorg. Med. Chem. Lett.</u> 8(3):281-284 (1998)	
	55	Caliendo et al., <u>Farmaco</u> 52(10):589-593 (1997)	
	56	Kubota et al., <u>Chem. Pharm. Bull. (Tokyo)</u> 46(2):351-354 (1998)	
	57	Hirschmann et al., <u>J. Med. Chem.</u> 39(13):2441-2448 (1996)	
	58	Caliendo et al., <u>Farmaco</u> 50(11):755-759 (1995)	
	59	Karagiannis et al., <u>Int. J. Pept. Protein Res.</u> 42(6):565-569 (1993)	
	60	Rosen et al., <u>J. Med. Chem.</u> 36(21):3197-3201 (1993)	
	61	Caliendo et al., <u>Farmaco</u> 48(10):1359-1378 (1993)	

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	62	Manolopoulou et al., <u>Int. J. Pept. Protein Res.</u> 41(4):411-414 (1993)	
	63	Lawrence et al., <u>J. Med. Chem.</u> 35(7):1273-1279 (1992)	
	64	Aitken et al., <u>Bioorg. Med. Chem. Lett.</u> 11(5):659-661 (2001)	
	65	Elling et al., <u>Biochemistry</u> 39(4):667-675 (2000)	
	66	Bryans et al., "3-Substituted GABA Analogs with Central Nervous System Activity: A Review," <i>John Wiley &amp; Sons, Inc.</i> 29:149-177 (1999)	
	67	Guttuso, Jr., M.D., Thomas, "Gabapentin's Effects on Hot Flashes and Hypothermia," <i>American Academy of Neurology</i> 54:2161-2163 (2000)	
	68	Hardman et al., "Goodman & Gilman's The Pharmacological Basis of Therapeutics" (9 <sup>th</sup> ed, 1996) page 51 and 57-58	

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